

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:	Tokkonen et al.	Examiner:	Nguyen, S.
Serial No.:	10/591,762	Group Art Unit:	2618
Filed:	September 1, 2006	Docket No.:	IHN.065.WUS
Confirmation No.:	7880	Customer No.:	10888
Title:	Actuating Functionality in Electronic Device		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this paper is being electronically transmitted by EFS-WEB to the United States Patent and Trademark Office on February 15, 2011.

By: /Erin Nichols Matkaiti/
Erin Nichols Matkaiti

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication addresses the Examiner's Statement of Reasons for Allowance submitted on November 22, 2010 (Official Paper No. 20101116). The Examiner has generally identified particular features of the claimed invention that are not taught or suggested by one cited reference. Applicant notes that the statement is silent with respect to other features and recitations of the allowed claims and other cited references; therefore, the Examiner did not address whether the cited prior art teaches, or fails to teach, each of the features of the allowed claims. Although the Examiner did not suggest that the cited prior art teaches all other limitations of the allowed claims, Applicant makes clear for the record that any such interpretation of the Reasons for Allowance would be incorrect and impermissible. The allowed claims include other recitations, not identified by the Examiner as being taught by the cited prior art, which are neither described nor suggested by the prior art.

Accordingly, to the extent that the Reasons for Allowance may imply that the claimed invention was allowed due to the failure of one piece of cited prior art to disclose only those

claim recitations specifically referenced in the Reasons for Allowance, Applicant disputes any such implication. For example, if the particular distinguishing features identified in the Reasons for Allowance were found to be associated with a particular prior art reference of record, the claimed invention would not be rendered anticipated under 35 U.S.C. § 102 as the claimed invention includes numerous limitations not addressed in the Reasons for Allowance. With respect to obviousness under 35 U.S.C. § 103(a), the rigors of establishing *prima facie* obviousness include a showing that the prior art teaches all of the claim limitations, as well as a legally appropriate showing of motivation to modify or combine references to arrive at the claimed invention and a reasonable expectation of success.

In view of the Examiner's allowance of all pending claims, the comments provided herein are not provided in an effort to distinguish the pending claims from the prior art. Rather, these comments are provided to make clear that Applicant does not acquiesce that other features and recitations of the allowed claims are necessarily described or suggested by the cited prior art, if such an inference could reasonably be drawn. It is respectfully submitted that Applicant has not intended to narrow, nor has Applicant narrowed, the breadth of the allowed claims through the explanatory comments provided herein.

Unless Applicant hears otherwise, Applicant's comments are, as intended, clarifying in a manner consistent with the law.

Respectfully submitted,

HOLLINGSWORTH & FUNK, LLC
8500 Normandale Lake Blvd., Suite 320
Minneapolis, MN 55437
952.854.2700

By: /Erin Nichols Matkaiti/
Name: Erin Nichols Matkaiti
Reg. No.: 57,125